

REMARKS

Claims 1-28 are pending in the application. Claim 1 has been amended and claim 28 is newly added to the application. No new matter has been introduced by the amendment.

Rejection Under 35 U.S.C. §112, second paragraph

Claims 1- 25 have been rejected in view of ambiguity associated with the recitation of the phrase “moment of disassociation” in claim 1 in connection with producing a predetermined stress state. This rejection is overcome in view of the amendment of claim 1, such that claim 1 now recites that the tangential stress state difference is “configured” to produce a predetermined stress state “during dissociation of the complex structure.” The applicants assert that, claim 1, as amended properly defines the claimed method with respect the producing a predetermined stress state.

Rejection Under 35 U.S.C. §102(e)

Claims 1-10, 12-15, and 22 have been rejected over Yamazaki et al. This rejection is overcome in view of the accompanying certified copy of the applicants’ French priority application no. 0215550, and the certified English translation of their French patent application. As noted in the bibliographic section, the applicants filed their French priority application on December 9, 2002. Accordingly, the filing date of the applicants’ French priority application predates the December 27, 2002 U.S. filing date of Yamazaki et al.

In accordance with 35 C.F.R. §1.55 and MPEP §201.15, the applicants assert that they have perfected their claim to priority of their French patent application and have overcome Yamazaki et al. Accordingly, the applicants request that Yamazaki et al. and the rejection grounded on this reference be withdrawn.

Rejection Under 35 U.S.C. §103(a)

Claims 11, 18, and 23-25 have been rejected over Yamazaki et al. This rejection is overcome in view of the removal of Yamazaki et al. as set forth above.

Claim 16 has been rejected over Yamazaki et al. in view of Gaud. This rejection is overcome in view of the removal of Yamazaki et al. as set forth above. Further, Gaud fails to suggest or disclose creation of a tangential stress state difference. Accordingly, claim 16 is allowable over Gaud in view of its dependence from claim 1.

Claim 17 has been rejected over Yamazaki et al. in view of Liu. This rejection is overcome in view of the removal of Yamazaki et al. as set forth above. Further, Liu fails to suggest or disclose creation of a tangential stress state difference. Accordingly, claim 17 is allowable over Liu in view of its dependence from claim 1.

Claims 19-21 have been rejected over Yamazaki et al. in view of Gang. This rejection is overcome in view of the removal of Yamazaki et al. as set forth above. Further, Gang fails to suggest or disclose creation of a tangential stress state difference. Accordingly, claims 19-21 are allowable over Gang in view of their ultimate dependence from claim 1.

New Claim

Claim 28 is newly added in order that the applicants can more fully claim the subject matter of their invention. Claim 28 recites providing first and second substrates, wherein one of the first or second substrates includes a separation region therein. Mechanical forces are applied to curve each of the first and second substrates and to create a tangential stress state difference between bonding surfaces of the first and second substrates. The tangential stress state difference is configured to produce a predetermined stress state within the separation region during dissociation of the complex structure at the separation region. Support for claim 28 can be found throughout the applicants' specification. (See, for example, pg. 2, ll. 32-35, pg. 3, ll. 1-14, pg. 11, ll. 23-35, pg. 12, ll. 1-12, and FIG. 3). The applicants assert that claim 28 is allowable over the cited prior art.

The applicants assert that claim 1 is now in condition for allowance. In view of the restriction requirement set forth in the Office Action of July 18, 2008, the applicants assert that claim 1 is a generic claim. Accordingly, the applicants assert that withdrawn claims 26-27 should be brought back into the application and examined.

The applicants have made a novel and non-obvious contribution to the art of producing complex structures. The claims at issue distinguish over the cited references and are in condition for allowance. Accordingly, such allowance is now earnestly requested.

Respectfully submitted,

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